

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

STH

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
NY	BPH -910502MQ N/M	NEW 104.3MHZ	THE FIDELIO GROUP, INC. NEW YORK NY	CP FOR NEW FM ON: FREQUENCY: 104.3 MHZ; ERP: 22.9 KW (H&V); HAAT: 211 METERS (H&V) 40 45 05 73 58 32 MUTUALLY EXCLUSIVE WITH RENEWAL FOR WNCN

LICENSE EXPIRATION DATE _____
PN- 5-20-91

Shirley T. Hall

 CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT() CONSTRUCTION DATES, START _____ END _____
 CONTESTED () UNCONTESTED ()

*Entered
163:91
5:28 PM
AS*

APPROVED _____

 FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

FEE PROCESSING FORM

FOR
FCC
USE
ONLY

FCC/MELLON MAY 02 1991

05-08-91 B195641 013

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)

The Fidelio Group, Inc.

MAILING ADDRESS (Line 1) (Maximum 35 characters - refer to Instruction (2) on reverse of form)

c/o Mace J. Rosenstein, Hogan & Hartson

MAILING ADDRESS (Line 2) (if required) (Maximum 35 characters)

555-13th Street, NW

CITY

Washington

STATE OR COUNTRY (if foreign address)

DC

ZIP CODE

20004

CALL SIGN OR OTHER FCC IDENTIFIER (if applicable)

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)	(B)	(C)								
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(1) <table><tr><td>M</td><td>T</td><td>R</td></tr></table>	M	T	R	<table><tr><td></td><td></td><td></td><td>1</td></tr></table>				1	\$ 2,030.00	
M	T	R								
			1							

SECTION II

— To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)									
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY								
(2) <table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$ <table><tr><td></td></tr></table>		
(3) <table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$ <table><tr><td></td></tr></table>		
(4) <table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$ <table><tr><td></td></tr></table>		
(5) <table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$ <table><tr><td></td></tr></table>		

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE.
THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE. →

TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING	FOR FCC USE ONLY
\$ 2,030.00	2030.00

HOGAN & HARTSON

ORIGINAL

COLUMBIA SQUARE
555 THIRTEENTH STREET NW
WASHINGTON DC 20004-1109
202/637-5600

DIRECT DIAL

BRUSSELS, BELGIUM
LONDON, ENGLAND
BALTIMORE, MARYLAND
BETHESDA, MARYLAND
MCLEAN, VIRGINIA

May 2, 1991

By Courier

The Secretary
Federal Communications Commission
Mass Media Services
P.O. Box 358195
Pittsburgh, PA 15251-5195

Re: Application for Construction Permit
(FCC Form 301) for The Fidelio Group, Inc.
Channel 282B (104.3 MHz), New York, NY

Dear Ms. Searcy:

Enclosed for filing on behalf of The Fidelio Group, Inc., is an original plus two copies of an application on FCC Form 301 for a construction permit for a new FM station on Channel 282B (104.3 MHz), New York, New York.

Also included is a check in the amount of \$2,030.00, made payable to the order of the FCC, and FCC Form 155.

Please direct inquiries concerning this Application to the undersigned.

Respectfully submitted,

HOGAN & HARTSON

By: 
Mace J. Rosenstein

Attorneys for
The Fidelio Group, Inc.

MJR:vjs:0760r
Enclosure

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only	FEE NO:	For APPLICANT Fee Use Only
	FEE TYPE:	Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	FEE AMT:	If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box): <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
	ID SEQ:	FOR COMMISSION USE ONLY FILE NO. BPH-910502mq PN: 30 7-3-91

Section I - GENERAL INFORMATION

1. Name of Applicant The Fidelio Group, Inc.			Send notices and communications to the following person at the address below: Name T'ING C. PEI		
Street Address or P.O. Box 444 Madison Avenue, Suite 704			Street Address or P.O. Box 444 Madison Avenue, Suite 704		
City New York	State NY	ZIP Code 10022	City New York	State NY	ZIP Code 10022
Telephone No. (Include Area Code) 212/758-5260			Telephone No. (Include Area Code) 212/758-5260		

2 This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency 282 B (104.3 MHz)	(b) Principal Community	City New York	State NY
--	-------------------------	------------------	-------------

(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: _____

☐ MINOR change in licensed facilities; call sign: _____

☐ MAJOR modification of construction permit; call sign: _____
File No. of construction permit: _____

☐ MINOR modification of construction permit; call sign: _____
File No. of construction permit: _____

☐ AMENDMENT to pending application; Application file number: _____

NOTE: It is not necessary to submit only Section I and the

104.3MHZ
BPH -910502MQ NEW

Should you do so, however, please information.

3. Is this application mutually NEW YORK NY
THE FIDELIO GROUP, INC.

☒ Yes ☐ No

If Yes, state:

Call letter WNCN	City New York	State New York
---------------------	------------------	-------------------

Section II - LEGAL QUALIFICATIONS

Name of Applicant

The Fidelio Group, Inc.

1. Applicant is: (check one box below)

- ☐ Individual ☐ General partnership ☒ For-profit corporation
☐ Other ☐ Limited partnership ☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.
N/A

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date April 30, 1991 Place Delaware

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☐ Yes ☒ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.
N/A

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No
N/A

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☒ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No
N/A

Section II - LEGAL QUALIFICATIONS (Page 2)

B. List the applicant's parties to the collection and non-party matter owners in the applicant. Use one column for each

[REDACTED]

Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interests.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

1.	Ira Wechsler 24508 Park Granada Calabasas, CA 91302		
2.	U.S.		
3.	None		
	50 (non-voting)		
5.	0		
6.	0		
7.	None		
8.	None		

Section 11 - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☐ Yes ☒ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☒ Yes ☐ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.

1

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☒ Yes ☐ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newsmagazine in the same area (see Section 73.3555(c)) or in the case

☐ Yes ☒ No

Section 11 - LEGAL QUALIFICATIONS (Page 4)

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See instruction C to Section 11.)

☐ Yes ☒ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.
N/A

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.
N/A

SECTION III - FINANCIAL QUALIFICATIONS

NOTE If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

\$ 1,421,518

3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
T'ing C. Pei 101 W. 79th Street New York, NY 10024	212/724-2517	Voting Shareholder, Pres. Director	\$500,000.
Ira Wechsler 24508 Park Granada Calabasas, CA 91302	818/888-5096	Non-Voting Shareholder	\$500,000.
Earle K. Moore 185 East 85th Street New York, NY 10028	212/831-6282	None	\$500,000.

Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No. 3

Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1 and 2 below.

Exhibit No. 4

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
 - (a) Minority Status
 - (b) Past Local Residence
If Yes, specify whether in the community of license or service area and the corresponding dates.
 - (c) Female Status
 - (d) Broadcast Experience
If Yes, list each employer and position and corresponding dates.
 - (e) Daytime Preference

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☒ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.
N/A

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted

William Bassett

Telephone No. (include area code)

212/286-9590

Person contacted: (check one box below)

☐ Owner

☒ Owner's Agent

☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant The Fidelio Group, Inc.	Signature <i>T. C. P.</i>
Date May 1, 1991	Title President

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed or designated for hearing. If all the information is not provided, the application may be returned without

The Fidelio Group, Inc.
FCC Form 301
May 1, 1991

EXHIBIT 1

Mr. Ira Wechsler, a non-party equity participant in The Fidelio Group, Inc., has had interests in the following broadcast applications:

1. Principal of Rebel Broadcasting Corp., applicant for construction permit for Channel 15, Las Vegas, Nevada (File No. BPCT-831219KE). The application was dismissed on April 12, 1985, pursuant to a settlement agreement among the parties.
2. Principal and Director of Radio Onda Fronteriza, Inc., applicant for construction permit for an FM station to operate on Channel 251B, San Diego, California (File No. BPH-840727IQ). The application was voluntarily dismissed on July 12, 1985.

The Fidelio Group, Inc.
FCC Form 301
May 1, 1991

EXHIBIT 2

T'ing C. Pei, President, Director and sole voting shareholder of The Fidelio Group, Inc., and Marianne M. Pei, the corporate Secretary of The Fidelio Group, Inc., are husband and wife.

The Fidelio Group, Inc.
FCC Form 301
May 1, 1991

The Fidelio Group, Inc.
FCC Form 301
May 1, 1991

EXHIBIT 4

In the event the application of The Fidelio Group, Inc. ("Fidelio"), is granted, Mr. T'ing C. Pei proposes to participate in the management of the proposed facility as its full-time President and General Manager. Mr. Pei will be Fidelio's sole voting stockholder, its President and sole director. Upon grant of a construction permit to Fidelio, Mr. Pei, as the station's President and General Manager, will devote a minimum of 40 hours per week to the management, construction and operation of the facility.

As the senior management official at the station, Mr. Pei will perform those duties normally associated with the position of President and General Manager. Specifically, Mr. Pei will make budgetary determinations, negotiate and execute contracts, and supervise the station's sales, programming and engineering staffs. Mr. Pei will have ultimate responsibility for determining and implementing station policy and for all personnel matters and legal affairs.

Mr. Pei will seek qualitative enhancements for his minority status (Asian), his long-term residence in New York City (since the late 1940s, except for a two-year period in 1966-67), his civic activities, and his past broadcast experience.

BROADCAST EQUAL EMPLOYMENT OPPORTUNITY

MODEL PROGRAM REPORT

1. APPLICANT

Name of Applicant The Fidelio Group, Inc.	Address 444 Madison Avenue Suite 704 New York, New York 10022
Telephone Number (include area code) (212) 758-5260	

2. This form is being submitted in conjunction with:

☒ Application for Construction Permit for New Station ☐ Application for Assignment of License

☐ Application for Transfer of Control

(a) Call letters (or channel number of frequency) Channel 282B/104.3 MHz

(b) Community of License (city and state) New York, New York

(c) Service: ☐ AM ☒ FM ☐ TV ☐ Other (Specify) _____

INSTRUCTIONS

Applicants seeking authority to construct a new commercial, noncommercial or international broadcast station, applicants seeking authority to obtain assignment of the construction permit or license of such a station, and applicants seeking authority to acquire control of an entity holding such construction permit or license are required to afford equal employment opportunity to all qualified persons and to refrain from discrimination in employment and related benefits on the basis of race, color, religion, national origin or sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, an applicant who proposes to employ five or more full-time employees must establish a program designed to assure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives and Hispanics). This is submitted to the Commission as the Model EEO Program. If minority group representation in the available labor force is less than five percent (in the aggregate), a program for minority group members is not required. In such cases, a statement so indicating must be set forth in the EEO model program. However, a program must be filed for women since they comprise a significant percentage of virtually all area labor forces. If an applicant proposes to employ fewer than five full-time employees, no EEO program for women or minorities need be filed.

Guidelines for a Model EEO Program and a Model EEO Program are attached.

NOTE: Check appropriate box, sign the certification below and return to FCC:

☐ Station will employ fewer than 5 full-time employees; therefore no written program is being submitted.

☒ Station will employ 5 or more full-time employees. Our Model EEO Program is attached. (You must complete all sections of this form.)

I certify that the statements made herein are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 1st day of May, 19 91

Signed Tina C. Di
Title President

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, SECTION 1001.

GUIDELINES TO THE MODEL EEO PROGRAM

The model EEO program adopted by the Commission for construction permit applicants, assignees and transferees contains five sections designed to assist the applicant in establishing an effective EEO program for its station. The specific elements which should be addressed are as follows:

I. GENERAL POLICY

The first section of the program should contain a statement by the applicant that it will afford equal employment opportunity in all personnel actions without regard to race, color, religion, national origin or sex, and that it has adopted an EEO program which is designed to fully utilize the skills of qualified minorities and women in the relevant available labor force.

II. RESPONSIBILITY FOR IMPLEMENTATION

This section calls for the name (if known) and title of the official who will be designated by the applicant to have responsibility for implementing the station's program.

III. POLICY DISSEMINATION

The purpose of this section is to disclose the manner in which the station's EEO policy will be communicated to employees and prospective employees. The applicant's program should indicate whether it: (a) intends to utilize an employment application form which contains a notice informing job applicants that discrimination is prohibited and that persons who believe that they have been discriminated against may notify appropriate governmental agencies; (b) will post a notice which informs job applicants and employees that the applicant is an equal opportunity employer and that they may notify appropriate governmental authorities if they believe that they have been discriminated against; and (c) will seek the cooperation of labor unions, if represented at the station, in the implementation of its EEO program and in the inclusion of nondiscrimination provisions in union contracts. The applicant should also set forth any other methods it proposes to utilize in conveying its EEO policy (e.g., orientation materials, on-air announcements, station newsletter) to employees and prospective employees.

IV. RECRUITMENT

The applicant should specify the recruitment sources and other techniques it proposes to use to attract qualified minority and female job applicants. Not all of the categories of recruitment sources need be utilized. The purpose of the listing is to assist the applicant in developing specialized referral sources to establish a pool of qualified minorities and women who can be contacted as job opportunities occur. Sources which subsequently prove to be nonproductive should not be relied on and new sources should be sought.

V. TRAINING

Training programs are not mandatory. Each applicant is expected to decide, depending upon its own individual situation, whether a training program is feasible and would assist in its effort to increase the available pool of qualified minority and female applicants. Additionally, the applicant may set forth any other assistance it proposes to give to students, schools or colleges which is designed to be of benefit to minorities and women interested in entering the broadcasting field. The beneficiary of such assistance should be listed, as well as the form of assistance, such as contributions to scholarships, participation in work study programs, and the like.

MODEL EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

I. GENERAL POLICY

It will be our policy to provide employment opportunity to all qualified individuals without regard to their race, color, religion, national origin or sex in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training and termination.

It will also be our policy to promote the realization of equal employment opportunity through a positive, continuing program of specific practices designed to ensure the full realization of equal employment opportunity without regard to race, color, religion, national origin or sex.

To make this policy effective, and to ensure conformance with the Rules and Regulations of the Federal Communications Commission, we have adopted an Equal Employment Opportunity Program which includes the following elements:

II. RESPONSIBILITY FOR IMPLEMENTATION

(Name/Title) T'ing Pei/President and General Manager will be responsible for the administration and implementation of our Equal Employment Opportunity Program. It will also be the responsibility of all persons making employment decisions with respect to the recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that our policy and program is adhered to and that no person is discriminated against in employment because of race, color, religion, national origin or sex.

III. POLICY DISSEMINATION

To assure that all members of the staff are cognizant of our equal employment opportunity policy and their individual responsibilities in carrying out this policy, the following communication efforts will be made:

- ☒ The station's employment application form will contain a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ Appropriate notices will be posted informing applicants and employees that the station is an Equal Opportunity Employer and of their right to notify an appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ We will seek the cooperation of unions, if represented at the station, to help implement our EEO program and all union contracts will contain a nondiscrimination clause.
- ☐ Other (specify)

IV. RECRUITMENT

To ensure nondiscrimination in relation to minorities and women, and to foster their full consideration whenever job vacancies occur, we propose to utilize the following recruitment procedures:

- ☒ We will contact a variety of minority and women's organizations to encourage the referral of qualified minority and women applicants whenever job vacancies occur. Examples of organizations we intend to contact are:

National Association of Broadcasters Minority Job Bank
Communications Industrial Skills Center
Hispanic Women's Center
Community Service Council of Greater Harlem
Asian-American Journalists Association

- ☒ In addition to the organizations noted above, which specialize in minority and women candidates, we will deal only with employment services, including State employment agencies, which refer job candidates without regard to their race, color, religion, national origin or sex. Examples of these employment referral services are:

Department of Labor Office of Personnel
A.D. Fleming Group

- ☒ When we recruit prospective employees from educational institutions such recruitment efforts will include area schools and colleges with minority and women enrollments. Educational institutions to be contacted for recruitment purposes are:

Harlem School of the Arts
Julliard School of Music
Barnard College
New York University

City College of New York
Fordham University
Hunter College

- ☒ When we place employment advertisements with media some of such advertisements will be placed in media which have significant circulation or viewership or are of particular interest to minorities and women. Examples of media to be utilized are:

Amsterdam News
El Diario
The New York Times
Broadcasting Magazine

- ☒ We will encourage employees to refer qualified minority and women candidates for existing and future job openings.

V. TRAINING

- ☐ Station resources and/or needs will be such that we will be unable or do not choose to institute programs for upgrading the skills of employees.
- ☒ We will provide on-the-job training to upgrade the skills of employees.
- ☐ We will provide assistance to students, schools, or colleges in programs designed to enable qualified minorities and women to compete in the broadcast employment market on an equitable basis:

School or Other Beneficiary

Proposed Form of Assistance

☐ Other (specify)

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the application requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers, and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

FCC Original

Engineering Exhibit

APPLICATION FOR CONSTRUCTION PERMIT

prepared for
The Fidelio Group, Inc.
New York, New York

Ch 282B (104.3 MHz) 22.9 kW (H&V) 211 m

May 1, 1991

Lahm, Suffa & Cavell, Inc.

Consulting Engineers
3975 University Drive
Suite #450
Fairfax, VA 22030
703-591-0110

ENGINEERING EXHIBIT

Application for Construction Permit

prepared for
The Fidelio Group, Inc.
New York, New York

Ch 282B (104.3 MHz) 22.9 kW (H&V) 211 m

Table of Contents

FCC Form 301, Section V-B

Figure 1	Antenna System Elevation Plan
Figure 2	Proposed Transmitter Site
Figure 3	Proposed Coverage Contours
Figure 4	1 mV/m Coverage Comparison
Figure 5	CH 282B Station Separations
Table I	Additional Aircraft Landing Areas
Statement A	Principal Community Coverage
Statement B	Allocation Considerations
Statement C	Interference Considerations
Statement D	Environmental Considerations

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. _____

ASB Referral Date _____

Referred by _____

Name of Applicant

The Fidelio Group, Inc.

Call letters (if issued)

New

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: _____

Purpose of Application: (check appropriate box(es))

☒ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height

☐ Effective radiated power

☐ Antenna height above average terrain

☐ Frequency

☐ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) _____

1. Allocation:

Channel No.	Principal community to be served:		
282	City New York	County New York	State NY

Class (check only one box below)

☐ A ☐ B1 ☒ B ☐ C3

☐ C2 ☐ C1 ☐ C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

Chrysler Building, 405 Lexington Ave., New York City,

New York County, NY

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	40	°	45	'	05	"	Longitude	73	°	58	'	32	"
----------	----	---	----	---	----	---	-----------	----	---	----	---	----	---

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☒ Yes ☐ No

If Yes, give call letter(s) or file number(s) or both.

Land mobile facilities

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A (No change proposed)

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No